

# Calendar No. 136

82D CONGRESS }  
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SENATE

{ REPORT  
No. 147

## MRS. ROBERT M. STERNBERG

MARCH 5 (legislative day, JANUARY 29), 1951.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

### REPORT

[To accompany S. 822]

The Committee on the Judiciary, to which was referred the bill (S. 822) for the relief of Mrs. Robert M. Sternberg, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

#### PURPOSE OF THE BILL

The purpose of the bill is to waive the racial bar to admission into the United States on behalf of the Japanese wife of a citizen of the United States presently employed by the United States Army in Japan.

#### STATEMENT OF FACTS

The beneficiary of the bill is a native and citizen of Japan presently residing in Japan with her husband, Robert M. Sternberg, who is a citizen of the United States. Mr. Sternberg is employed in a civilian capacity by the Army in Tokyo, Japan, and without the waiver provided for in the bill the beneficiary of the bill will be unable to return to the United States with her citizen husband.

A letter dated December 13, 1950, to the chairman of the Senate Committee on the Judiciary from the Deputy Attorney General with reference to S. 3825, which was a bill introduced in the Eighty-first Congress for the relief of the same alien, reads as follows:

DECEMBER 13, 1950.

Hon. PAT McCARRAN,  
*Chairman, Committee on the Judiciary,*  
*United States Senate, Washington, D. C.*

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice relative to the bill (S. 3825) for the relief of Mrs. Robert M. Sternberg, an alien.

The bill would provide that the provisions of section 13 (c) of the Immigration Act of 1924, as amended, shall not hereafter apply to Mrs. Robert M. Sternberg (Hanae Sano), Japanese wife of Robert M. Sternberg, an American citizen, and that Mrs. Sternberg may be permitted to enter the United States as a nonquota immigrant for permanent residence.

The files of the Immigration and Naturalization Service of this Department disclose that Mrs. Sternberg, nee Hanae Sano, is a native and citizen of Japan. She is presently residing in Japan with her husband. According to Dr. Morton Sternberg, her father-in-law, who resides in New York City, the alien comes from a good family, is well-educated, and prior to her marriage was an instructor in music in Tokyo, Japan. Dr. Sternberg stated that his son, the alien's husband, was born in Brooklyn, N. Y., on February 23, 1922, and that he attended New York University and Ohio State University. He further stated that his son served in the United States Maritime Service as a radio operator between 1944 and 1946, and that during the recent war he was rejected by both the Army and Navy because of a defective knee. Dr. and Mrs. Sternberg stated that their son is presently employed in a civilian capacity by the Army in Tokyo, inspecting radio repair shops engaged in repairing Army equipment. They also stated that the alien's parents are deceased, her father having been killed during a bombing raid on Tokyo.

Mrs. Robert Sternberg, being of the Japanese race, is ineligible for naturalization under section 303 of the Nationality Act of 1940, and therefore inadmissible to the United States for permanent residence under section 13 (c) of the Immigration Act of 1924 (8 U. S. C. 213 (c)). In the absence of general or special legislation she may not be admitted to this country for permanent residence. The bill as drafted, however, would not only exempt her from the excluding provision in section 13 (c), but by permitting her to enter this country as a nonquota immigrant for permanent residence would also exempt her from the necessity of presenting the usual documents required of aliens desiring to enter the United States for permanent residence. It would appear that this objection might be overcome if the bill were amended by striking out the comma after the word "citizen" in line 9 and inserting a period in lieu thereof and striking out all after that period.

Whether the bill in the suggested amended form should be enacted presents a question of legislative policy concerning which this Department prefers not to make any recommendation.

Yours sincerely,

PEYTON FORD,  
*Deputy Attorney General.*

Senator Herbert H. Lehman, the author of the bill, has submitted the following information in connection with the case:

As required by the Senate Judiciary Committee the following information concerning Hanae Sano, a Japanese national seeking relief through the introduction of a private bill is herewith respectfully submitted:

*Question 1. The circumstances surrounding the entry of the person to the United States.*

She is married to one Robert M. Sternberg, an American citizen, who desires to return to the United States and make his home there with his wife.

*Question 2. The present activities of such person.*

At the present time person concerned is a housewife in Tokyo, Japan.

*Question 3. How such person is presently earning a living, or whether dependent on some other person for support.*

At present depending for support on husband, Robert M. Sternberg, radio instructor at Eighth Army Signal Corps School, Keio University, Hiyoshi, Japan. Husband earns approximately \$4,000 per annum.

*Question 4. Whether or not such person is engaged in any activities, political or otherwise, injurious to the American public interest.*

Person is not engaged in any activities, political or otherwise, injurious to the American public interest.

*Question 5. Has such person been convicted of an offense under any Federal or State law.*

Person has never been convicted of an offense under any Federal or State law.

The person's maiden name was Hanae Sano. Sano is the family name and the foregoing is written American fashion of given name first. Japanese style would have it Sano Hanae. Since her marriage she has used the name Betty Sternberg. Betty is not a legal name although her husband has used it for income-tax returns.

I have known the applicant Hanae Sano for 4½ years and have personal knowledge that the foregoing information is true.

Dated this day of May 15, 1950, at Tokyo, Japan.

USHER M. GOLDRING,  
*Tokyo Manager for Moalem Co., Ltd.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 822) should be enacted.



